

REMARKS

Applicant has studied the Office Action dated February 5, 2004 and has made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 1 – 7 are amended and pending. Claim 8 has been added. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks is respectfully requested.

In the Office Action, the Examiner:

- (2) objected to claim 1 for lack of a preamble;
- (3 - 4) rejected claims 2 and 3 under 35 U.S.C. § 112, second paragraph, for being indefinite; and
- (5 - 6) rejected claims 1 - 7 under 35 U.S.C. § 102(e) as being anticipated by Feldman et al. (U.S. Pat. No. 6,594,638).

(2) Objection to Claim 1 for lack of a preamble

In item 2 on page 2 of the above-referenced Office action, the Examiner objected to claim 1 for lack of a preamble. The Examiner's suggested correction has been made and claim 1 now has a preamble containing the word "comprising".

(3 - 4) Rejection under 35 U.S.C. §112

In item 4 on page 2 of the above-identified Office action, the Examiner rejected claim 2 under 35 U.S.C. § 112, first paragraph for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. However, since the Examiner goes on to discuss claim 3, it is assumed that claim 3 is rejected as well. Specifically, the Examiner states that regarding claims 2 and 3, the words "for example" renders "the claim" indefinite. Accordingly, claim 2 has been amended to remove the words "for example."

The Examiner also states that, regarding claim 2, the phras "such as" renders the claim indefinit . Accordingly, claim 2 has been amended to remove the words "such as."

Lastly, the Examiner objects to claim 3 and states that there is insufficient antecedent basis for the limitation "the renumeration [sic] previously provided" appearing in claim 3. Accordingly, "the remuneration" has been amended to read "a remuneration."

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs.

(5-6) Rejection under 35 U.S.C. §102(e)

In item 6 on page 3 of the above-identified Office action, claims 1 – 7 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Feldman et al. (U.S. Pat. No. 6,594,638). Independent claims 1 – 7 have been amended to distinguish and to more clearly define the present invention over Feldman et al. No new matter has been added.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Amended independent claim 1 recites:

A system for collecting data through the Internet, comprising a means for producing and editing personal-life information/advice in a question-and-answer format that includes a plurality of questions for obtaining desired data requested by businesses or other organizations; a means for supplying the produced and edited personal-life information/advice, including a plurality of questions, to an individual user, who can receive the information at any time; a means for collecting and analyzing the aforementioned desired data based on the individual user's answers to a plurality of questions when the individual user is obtaining the personal-life information/advice; and a means for supplying the desired data, after it has been collected and analyzed, to the appropriate businesses or other organization that requested the desired data.

F Idman et al. disclose a system for collecting demographic and marketing-related

information from a user who is interested in a particular subject or a, selected by the user via a prize-offering website on the Internet. Feldman et al. and the present invention differ in at least the following ways:

1. In Feldman et al., a user can win a prize as consideration for marketing-related information that he/she provides. In contrast, as is disclosed in the claim 1 of the present invention, personal-life information/advice is given to a user as consideration for marketing-related information that he/she provides;
2. In present invention, personal-life information/advice is given to all individual users as consideration for marketing-related information that they provide, and the questions that are asked of users are contained in the personal-life information/advice that is given to the user and correspond to the needs of the business or other organization that requires the marketing-related information. Feldman et al. do not disclose personal-life information/advice containing questions to be asked of users; and
3. Although Feldman et al. disclose that demographic and marketing-related information is collected from the answers of users, Feldman et al. do not disclose that data desired by a business or organization — which is obtained by collecting and analyzing answers from users — is provided to the business or organization that has requested it, as does claim 1 of the present invention.

It is accordingly believed to be clear that Feldman et al., neither show nor suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

CONCLUSION

The remaining cited references have been reviewed and are not believed to affect the patentability of the claims as amended.

In this Response, Applicant has amended certain claims. In light of the Office Action, Applicant believes these amendments serve a useful clarification purpose, and are desirable for clarification purposes, independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

Applicant acknowledges the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

Applicant respectfully submits that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. No new matter has been added. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

PLEASE CALL the undersigned if that would expedite the prosecution of this application.

It is believed that no fees are due with this Amendment. However, please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of the undersigned Firm, No. 500601.

Respectfully submitted,

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